

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David B. Melvin : Art Unit:  
Serial No.: To Be Assigned : Examiner:  
Filed: Herewith :  
For: DEVICE AND METHOD FOR :  
RESTRUCTURING HEART :  
CHAMBER GEOMETRY :

jc997 U.S. PTO  
10/054068  
01/22/02

**CONTINUATION APPLICATION OF:**

Applicant: David B. Melvin : Art Unit: 3738  
Serial No.: 09/326,416 : Examiner: D. Isabella  
Filed: June 4, 1999 :  
For: DEVICE AND METHOD FOR :  
RESTRUCTURING HEART :  
CHAMBER GEOMETRY :

**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

S I R :

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (R&P) submitted herewith.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

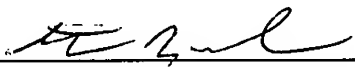
In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

Under 37 C.F.R. § 1.98(d), copies of the references listed on the enclosed PTO Form 1449 are not required to be provided because they were cited by or submitted to the Patent and Trademark Office in prior applications Serial No. 09/326,416, filed on June 4, 1999, Serial No. 09/316,611, filed on May 21, 1999, Serial No. 09/165,887, filed on September 30, 1998, and Serial No. 08/581,914, filed on January 2, 1996, which are relied upon for an earlier filing date under 35 U.S.C. § 120. A courtesy copy of U.S. Publication No. US 2001/0016675 is enclosed. Also enclosed is a copy of U. S. Patent Number 6,125,852.

This Information Disclosure Statement is being filed together with the application. Therefore, no fee or certification is required. 37 C.F.R. § 1.97(b).

Respectfully submitted,

RATNER & PRESTIA

  
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Steven E. Bach, Reg. No. 46,530  
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SEB/pb

Enclosures: PTO Form 1449;  
U.S. Publication No. US 2001/0016675;  
U.S. Patent No. 6,125,852

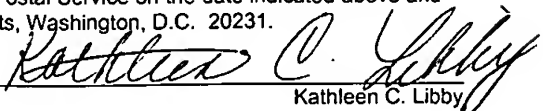
Dated: January 22, 2002

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The Assistant Commissioner for Patents is hereby authorized to charge payment to .  
Deposit Account No. 18-0350 of any fees associated with this communication.

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I hereby certify that this paper and fee is being deposited, under 37 C.F.R. § 1.10 and with sufficient postage, using the "Express Mail Post Office to Addressee" service of the United States Postal Service on the date indicated above and that the deposit is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

  
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Kathleen C. Libby